

## **Program A: Administrative**

Program Authorization: R.S. 47:1401 et seq.

### **Program Description**

The mission of the Administrative Program of the Board of Tax Appeals is to resolve equitably, fairly, and expeditiously any disputes between taxpayers and the Department of Revenue.

The goals of the Administrative Program of the Board of Tax Appeals are:

1. To protect taxpayer's rights to appeal at minimum expense.
2. To maintain an efficient filing and processing of taxpayer appeals to both the Legal Division and the Collection Division of the Department of Revenue for an expeditious resolution.
3. To develop and maintain an open working communication with the Secretary of the Department of Revenue.
4. To make the Board's rules and requirements for filing an appeal simple and convenient for all taxpayers.
5. To handle all taxpayer issues that come before the board in a professional, fair, and equitable manner.
6. To maintain the integrity and independence of the Board of Tax Appeals.

The Board of Tax Appeals has the authority to hear appeals from the imposition of the following types of taxes; individual income; corporate income; corporate franchise; excise; severance; sales and use; withholding; motor vehicle; transportation and communication; hazardous waste; inspection and supervision; and inventory and special fuels. If a taxpayer is aggrieved by an assessment made by the Secretary of the Department of Revenue, the taxpayer files a petition with the Board of Tax Appeals seeking relief. The department has 30 days in which to answer the allegations. The case is assigned for hearing, at which time either party may introduce evidence. After hearing the case and considering the record, the law and evidence, a judgment is rendered by the Board of Tax Appeals. If the judgment is not appealed by either party within 30 days, it becomes final.

The Board also approves or disapproves claims against the state. If the claim is approved by the Board, the legislature is authorized to appropriate funds to pay the claim. In addition, the Board of Tax Appeals is authorized to review and approve or disapprove the following: offers of compromise; penalty waiver requests; tax lien releases and re-determination of final assessments submitted by the Secretary of the Department of Revenue. The Board also hears appeals from the Secretary's denial of claims or tax refunds or the Secretary's refusal to act on claims or refunds.

## RESOURCE ALLOCATION FOR THE PROGRAM

	ACTUAL 2000-2001	ACT 12 2001-2002	EXISTING 2001-2002	CONTINUATION 2002-2003	RECOMMENDED 2002-2003	RECOMMENDED OVER/(UNDER) EXISTING
MEANS OF FINANCING:						
STATE GENERAL FUND (Direct)	\$209,438	\$231,435	\$231,435	\$235,997	\$232,444	\$1,009
STATE GENERAL FUND BY:						
Interagency Transfers	0	0	0	0	0	0
Fees & Self-gen. Revenues	44,264	25,160	31,938	22,265	25,160	(6,778)
Statutory Dedications	0	0	0	2,895	2,895	2,895
Interim Emergency Board	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
TOTAL MEANS OF FINANCING	<b>\$253,702</b>	<b>\$256,595</b>	<b>\$263,373</b>	<b>\$261,157</b>	<b>\$260,499</b>	<b>(\$2,874)</b>
EXPENDITURES & REQUEST:						
Salaries	\$97,881	\$102,753	\$102,753	\$102,753	\$108,484	\$5,731
Other Compensation	33,900	34,000	34,000	34,000	34,000	0
Related Benefits	23,285	28,260	28,260	33,033	30,956	2,696
Total Operating Expenses	49,091	55,949	55,949	56,500	49,279	(6,670)
Professional Services	24,000	28,800	28,800	29,491	28,800	0
Total Other Charges	2,834	3,113	3,113	3,769	8,155	5,042
Total Acq. & Major Repairs	22,711	3,720	10,498	1,611	825	(9,673)
TOTAL EXPENDITURES AND REQUEST	<b>\$253,702</b>	<b>\$256,595</b>	<b>\$263,373</b>	<b>\$261,157</b>	<b>\$260,499</b>	<b>(\$2,874)</b>
AUTHORIZED FULL-TIME						
EQUIVALENTS: Classified	0	0	0	0	0	0
Unclassified	3	3	3	3	3	0
<b>TOTAL</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>0</b>

## SOURCE OF FUNDING

This program is funded with State General Fund, Fees and Self-generated Revenues, and Statutory Dedications. Fees and Self-generated Revenues are derived from filing fees based on the amount in dispute and charges for copies of transcripts of hearings. The Dedications are derived from the Deficit Elimination Fund.

	<b>ACTUAL</b>	<b>ACT 12</b>	<b>EXISTING</b>	<b>CONTINUATION</b>	<b>RECOMMENDED</b>	<b>RECOMMENDED</b>
	<b>2000-2001</b>	<b>2001-2002</b>	<b>2001-2002</b>	<b>2002-2003</b>	<b>2002-2003</b>	<b>OVER/(UNDER)</b>
						<b>EXISTING</b>
Deficit Elimination Fund	\$0	\$0	\$0	\$2,895	\$2,895	\$2,895

## MAJOR FINANCIAL CHANGES

GENERAL FUND	TOTAL	T.O.	DESCRIPTION
<b>\$231,435</b>	<b>\$256,595</b>	<b>3</b>	<b>ACT 12 FISCAL YEAR 2001-2002</b>
			<b>BA-7 TRANSACTIONS:</b>
\$0	\$6,778	0	Carry Forward BA-7
<b>\$231,435</b>	<b>\$263,373</b>	<b>3</b>	<b>EXISTING OPERATING BUDGET - December 20, 2001</b>
\$15	\$15	0	Risk Management Adjustment
\$0	\$825	0	Acquisitions & Major Repairs
\$0	(\$3,720)	0	Non-Recurring Acquisitions & Major Repairs
\$0	(\$6,778)	0	Non-Recurring Carry Forwards
(\$228)	(\$228)	0	Legislative Auditor Fees
\$77	\$77	0	UPS Fees
\$6,559	\$6,559	0	Salary Base Adjustment
\$0	\$2,895	0	Group Insurance Adjustment
\$875	\$3,770	0	Other Adjustments - Funding for an increase in Westlaw fees, maintenance contract, and Board travel expenses.
(\$5,262)	(\$5,262)		Other Adjustments - Reduction in funding for travel.
(\$1,027)	(\$1,027)		Other Adjustments - Group Benefits adjustment from EOB to FY03.
<b>\$232,444</b>	<b>\$260,499</b>	<b>3</b>	<b>TOTAL RECOMMENDED</b>
<b>\$0</b>	<b>\$0</b>	<b>0</b>	<b>LESS GOVERNOR'S SUPPLEMENTARY RECOMMENDATIONS</b>
<b>\$232,444</b>	<b>\$260,499</b>	<b>3</b>	<b>BASE EXECUTIVE BUDGET FISCAL YEAR 2002-2003</b>
			<b>SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE:</b>
\$0	\$0	0	None
<b>\$0</b>	<b>\$0</b>	<b>0</b>	<b>TOTAL SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE</b>
<b>\$232,444</b>	<b>\$260,499</b>	<b>3</b>	<b>GRAND TOTAL RECOMMENDED</b>

## **PROFESSIONAL SERVICES**

\$28,800 Charles N. Malone - Funding for legal services for the Board

**\$28,800 TOTAL PROFESSIONAL SERVICES**

**OTHER CHARGES**

\$0 None

**\$0 SUB-TOTAL OTHER CHARGES****Interagency Transfers:**

\$4,386 Office of Telecommunication Management

\$2,681 Legislative Auditor

\$807 Office of Risk Management

\$281 Office of Uniform Payroll System

**\$8,155 SUB-TOTAL INTERAGENCY TRANSFERS****\$8,155 TOTAL OTHER CHARGES**

## **ACQUISITIONS AND MAJOR REPAIRS**

\$825 Furniture and office equipment

**\$825 TOTAL ACQUISITIONS AND MAJOR REPAIRS**